IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE.

CIVIL APPLICATION NO. 4220 OF 2006
IN
FIRST APPEAL NO. 668 OF 2002

Farhand Boman Irani (Rahmani)
and another. ... Applicants.

V/s.

Nadeem Mohsinbhai Suleman
and others. ... Respondent.

P.M.Shah for the applicants.

A.S.Naik for respondent Nos.1 and 2.

S.N.Gawade, AGP for respondent No.3.

N.H.Manjee i/b. Mr.Makhija i/b. Mulla &
Mulla for respondent No.4.

CORAM: D.B.BHOSALE, J.

DATED: 23rd November 2006.

P.C. :

. Mr.Shah, learned counsel for the applicants states that it is not possible for his clients to comply with the order passed by this court dated 24th June 2005. By that order the following directions were issued:

> ".....Therefore, the applicants in civil application No.2777 of 2005 to prove that they are the legal heirs of appellant No.1. Other prayers will be considered thereafter. For that limited purpose the matter is remanded to the City Civil Court for recording evidence on this issue. Parties to appear before the City Civil Court on 20th July 2005. The City Civil Court will record the evidence, hear the parties on this Issue and send its finding to this Court within four months from the appearance of the parties before it."

2. In the present application, the applicants once again made a similar prayer for allowing him to carry out the amendment for bringing legal heirs of the deceased applicant No.1 on record. Such prayer cannot be granted.

3. Hence this application, so far as prayer clause (a) is concerned, stands rejected. So far as other prayers are concerned it is open for the applicants to take out separate application.

4. Civil application stands disposed of.

(D.B.BHOSALE, J.)